

Notice of Allowability

Application No.

09/679,802

Examiner

Kambiz Abdi

Applicant(s)

PIERCE ET AL.

Art Unit

3621

NY

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9 August 2004.
2. ☒ The allowed claim(s) is/are 1, 4-9, 12-17, and 20-24.
3. ☒ The drawings filed on 30 June 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

[Signature]
SUSAN M. HARRIS
TECHNICAL STAFF

DETAILED ACTION

1. The text prior office actions are incorporated in this office action by reference. Applicant has filed an amendment/argument on 9 August 2004 after an office action mailed on 5 July 2004, which has been entered.

- Claims 9 and 17 were amended.
- Claims 2, 11, and 19 were canceled.
- Claim 24 have been added.
- Claims 1, 4-9, 12-17, and 20-24 have been allowed.

Acknowledgement is made of the Terminal Disclaimer filed by the applicant on 9 August 2004.

Therefore the provisional Double patenting rejection is withdrawn.

Acknowledgement is made of the filing of "Statement of Common Ownership" filed on 9 August 2004, regarding prior art Fischer '021 U.S. patent. Therefore, the rejections under 35 U.S.C. § 103(a) is withdrawn.

Examiner's Amendment

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

3. Authorization for this examiner's amendment was given in a telephone interview with attorney George M. Macdonald on 28 September 2004.

The examiner under agreement by the attorney representing the applicant has amended independent claims 1, 9, and 17 and canceled claims 2, 10, and 18.

The claims in the application has been amended as follow:

1. (Currently amended) A payment processing system, comprising:
a data center,
a postage metering system located remotely from the data center, and

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a control system in operative communication with the data center and the postage metering system, the control system for:

obtaining third party payment data via the postage metering system, the payment data including a payee and a payment amount;

coordinating printing by the postage metering system of an indication of the third party payment on a mailpiece intended for delivery to a mailpiece recipient other than the payee; and

dispatching payment from the data center to the payee for the payment amount in response to the receipt of payment data;

wherein the payment data further includes a future date selected by a payor, on which the payment is authorized for dispatch.

4. (currently amended) The payment processing system of claim 1, wherein:
the third party payment indication includes a digital signature of at least a portion of the payment data so that any attempts to tamper with the payment data are detectable.

9. (currently amended) A method of operating a payment processing system, the method comprising the step(s) of.

locating a postage metering system remotely from a data center; transmitting payment data via a postage metering system to the data center, the payment data including a payee and a payment amount;

the payment data further includes a future date selected by a payor on which the payment is authorized for dispatch;

dispatching payment from the data center to the payee for the payment amount in response to the receipt of payment data and the occurrence of the future date; and
further comprising the step(s) of: coordinating printing by the postage metering system of an indication of the third party payment on a mailpiece intended for delivery to the payee.

12. (currently amended) The method of claim 9: further comprising the step(s) of:

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generating a digital signature of a least a portion of the payment data and including the digital signature with the third party payment indication so that any attempts to tamper with the payment data are detectable.

17. (currently amended) A method of operating a data center, the method comprising the step(s) of.

establishing a transaction session with a postage metering system remotely from the data center;

receiving payment data via the postage metering system, the payment data including a payee and a payment amount;

wherein the payment data further includes a future date selected by a payor on which the payment is authorized for dispatch;

dispatching payment to the payee for the payment amount in response to the receipt of payment data and the occurrence of the future date; and

further comprising the step(s) of: coordinating printing by the postage metering system of an indication of the third party payment on a mailpiece intended for delivery to the payee.

20. (currently amended) The method of claim 17, further comprising the step(s) of:
generating a digital signature of a least a portion of the payment data and including the digital signature with the third party payment indication so that any attempts to tamper with the payment data are detectable.

Allowable Subject Matter

4. Claims 1, 4-9, 12-17, and 20-24 are allowed over the prior art of record.

The following is an examiner's statement of reason for allowance:

5. The closest prior art of record is U.S. Patent No. 6,289,323 to Roy R. Gordon provides methods and systems to conduct secure transaction via postal authority by utilizing a mailpiece item that is mailed.

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6. What distinguishes the current claims over the art of record is that the present application has further limitations of the payment data further includes a future date selected by the payor on which the payment is authorized for dispatch as well as dispatching payment from the data center to the payee for the payment amount in response to the receipt of payment data and the occurrence of the future date. Transaction is conducted mainly via coordinating printing by the postage metering system of an indication of the third party payment on a mailpiece intended for delivery to the payee.

7. The closest foreign prior art of record is WO 00/79455 A1, and the NPL cited in the application, titled "Mailing Systems Technology Managing Strategies for Business Communications", Bits O' pieces News from Around the Industry, Nov-Dec 2000.

8. In regards to claims 1, 9, and 17, the closest prior art of record when taken either individually or in combination with other prior art of record fails to teach or suggest the step of payment data further includes a future date selected by the payor on which the payment is authorized for dispatch as well as dispatching payment from the data center to the payee for the payment amount in response to the receipt of payment data and the occurrence of the future date.

9. Claim 4-8 and 24 are dependent upon claim 1, claims 12-16 are dependent upon claim 9, and claims 20-23 are dependent upon claim 17, thus they all have the limitations of claims 1, 9, and 17, therefore, they are allowable for that same reason stated above.

Conclusion

10. Any comments considered necessary by the applicant must be submitted no later than the payment of the issues fee and, to avoid processing delays, should preferably accompany the issue fee. Such submission should be clearly labeled "Comments on Statement of Reasons for Allowance."

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kambiz Abdi whose telephone number is (703) 305-3364. The examiner can normally be reached on 9:30 AM to 5:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James P. Trammell can be reached on (703) 305-9768.

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12. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Receptionist whose telephone number is (703) 308-1113.

Any response to this action should be mailed to:

**Commissioner of Patents and Trademarks
Washington D.C. 20231**

or faxed to:

(703) 305-7687 [Official communications; including After Final communications labeled "Box AF"]

(703) 746-7749 [Informal/Draft communications, labeled "PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to:

**Crystal Park 5, 2451 Crystal Drive
7th floor receptionist, Arlington, VA, 22202**

**Abdi/K
September 16, 2004**